IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick J. Landram   Examiner: Djenane M Bayard

Serial No: 10/688,316   Group Art Unit: 2444

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For: SELF CONFIGURING MOBILE DEVICE AND SYSTEM

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

REPLY TO FINAL OFFICE ACTION DATED MAY 13, 2011

Sir:

This communication is responsive to the Final Office Action mailed May 13, 2011 concerning the above-identified application. Applicants submit the following amendment and remarks and respectfully request the Examiner to reconsider the rejections made in the Office Action and to allow the claims to issue.

Please amend the above-referenced application as follows:

Amendments to the Claims are reflected in the listing of the claims, which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

Amendments to the Claims

This listing of claims supersedes all listing of claims.

1.   (Currently Amended) A method of transacting business in conjunction with a sale of mobile devices, the method comprising the steps of:

shipping at least a first mobile device to a first end user and at least a second mobile device to a second end user different from the first end user, the first mobile device and the second mobile device having generally a same hardware and software configuration during shipping;

maintaining on at least one server coupled to a network first and second configuration data generated by a system administrator for a plurality of the first and the second mobile devices, respectively, the first and second configuration data defining different first and second end user specific operational characteristics of the first and second mobile devices;

upon receipt of the first mobile device and the second mobile device by the first end user and the second end user, respectively, powering up the first mobile device and the second mobile device; and

upon being powered up, the first mobile device and the second mobile device each

a) automatically connecting to the at least one server via the network;

b) automatically downloading first configuration data and second configuration data, respectively, from the at least one server, said first and second configuration data defining first and second end-user specific operational characteristics of the first and second mobile devices, respectively, the first configuration data and the second configuration data being generally different; and

c) automatically configuring themselves based on the first configuration data and the second configuration data, wherein each mobile device is operable to maintain a communication link as the mobile device roams between communication cells,

wherein the step of maintaining the first and the second configuration data for a plurality of the first and the second mobile devices includes the steps of:

storing in memory on the server an unique identification code codes for uniquely identifying each of the first mobile device and the second mobile device; wherein the first and the second configuration data corresponds to the unique identification code codes.

2.   (Previously Cancelled).

3.   (Previously Amended) The method of claim 1, wherein the step of automatically connecting to the at least one server includes the steps of:

transmitting to the server an identification code of the respective mobile device; and

retrieving by the server configuration data based on the transmitted identification code.

4.   (Original) The method of claim 1, further comprising a gateway for establishing remote communications between each mobile device and the server.

5.   (Original) The method of claim 4, wherein the gateway is an internet connection.

6.   (Original) The method of claim 4, wherein the gateway is an intranet connection.

7.   (Original) The method of claim 1, further comprising the steps of:

configuring the mobile device manually in the event of a failure of the automatic configuration.

8.   (Original) The method of claim 7, wherein the step of configuring the mobile device manually further comprises the steps of:

creating encrypted data, wherein the encrypted data includes an identifier, a time/date window, and configuration data;

entering the encrypted data into the mobile device;

verifying that the identification code and the time/date window relative to the particular mobile device; and

using the configuration data to configure the mobile device, wherein the configuration is conditioned upon the verification of the identifier and the time/date window.

9.   (Currently Amended) A method for maintaining configuration data on a server coupled to a network, the method comprising the steps of:

storing in memory on the server different configuration data generated by a system administrator for a plurality of different mobile devices the different configuration data defining unique end user specific operational characteristics for each of the plurality of mobile devices, wherein each mobile device is operable to maintain a communication link as

the mobile device roams between communication cells;

the server automatically receiving, via the network, requests for the different configuration data from the different mobile devices, respectively; and

the server automatically providing, via the network, the different configuration data to the different mobile devices, respectively, ~~said configuration data defining a user specified operational characteristic of each of the plurality of mobile devices,~~

wherein the step of storing in memory on the server different configuration data for a plurality of mobile devices includes storing in memory on the server ~~an~~ <u>unique</u> identification ~~code~~ <u>codes</u> for uniquely identifying each mobile device, and each <u>different</u> configuration data corresponds to a respective <u>unique</u> identification code.

10.   (Previously Cancelled).

11.   (Original) The method of claim 9, further comprising a gateway for establishing remote communications between each mobile device and the server.

12.   (Original) The method of claim 11, wherein the gateway is an internet connection.

13.   (Original) The method of claim 11, wherein the gateway is an intranet connection.

14.   (Previously Cancelled).

15.   (Previously Cancelled).

16.   (Previously Cancelled).

17.   (Previously Cancelled).

18.   (Previously Cancelled).

19.   (Previously Cancelled).

20.   (Previously Cancelled).

21.   (Previously Cancelled).

22.   (Previously Cancelled).

23.   (Previously Cancelled).

24.   (Previously Cancelled).

25.   (Previously Cancelled).

26.   (Previously Cancelled).

27.   (Previously Cancelled).

28.   (Previously Cancelled).

29.   (Previously Cancelled).

30.   (Previously Presented) The method of claim 1, wherein the first mobile device and the second mobile device include a number of predefined features, and wherein automatically configuring the respective mobile devices includes configuring the first mobile device to enable access to a first number of features of the predefined number of features, and configuring the second mobile device to enable access to a second number of features of the predefined number of features, wherein the first number is different from the second number.

31.   (Previously Presented) The method of claim 1, wherein automatically configuring the mobile devices includes enabling or disabling features of the mobile devices based on an intended or actual user of the respective mobile devices.

32.   (Previously Presented) The method according to claim 31, wherein enabling or disabling features of the mobile devices based on the intended or actual user includes enabling or disabling access to at least one of stock on hand, wholesale prices, retail prices, quantity on hand, or delivery dates of stock.

33. (Previously Presented) The method according to claim 9, wherein the configuration data determines at least one of applications loaded on the mobile device, configuration of applications on the mobile device, access to different types of data, or functionality of the mobile device.

REMARKS

Applicants have carefully considered the Office Communication dated May 13, 2011 and provide the following response thereto. Applicants present this amendment in a sincere effort to place the application in consideration for allowance. Accordingly, reconsideration is respectfully requested.

In this amendment, claims 1 and 9 are amended and no new claims have been added. Claims 1, 3-9, 11-13, and 30-33 are currently pending. No new matter has been added.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

In the Office action, Claims 1, 3-5, 7-9, 11-12, and 30-33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Amin et al. (US 7,266,371) in view of Croome et al. (U.S. Publication No. 2005/0101309). Applicants respectfully traverse in part and amend in part.

Applicants have amended independent claims 1 and 9 to further clarify the invention. For example, amended independent claim 1, recites in part, "maintaining on at least one server coupled to a network first and second configuration data *generated by a system administrator for the first and the second mobile devices*, respectively, the first and second configuration data defining different first and second end user specific operational characteristics of the first and second mobile devices." Independent Claim 9 describes similar features. Support for these claim amendments can be found throughout the originally-filed specification, for example, on page 13, lines 3-10.

Amin describes a system for activating mobile devices over-the-air using a wireless packet data protocol. A SIM card is preloaded with temporary operating parameters for initial access to a network. Once a link to the network is established, the *user may remotely subscribe* to a number of service terms using the mobile device. (See Amin, Abstract). In contrast, amended independent claim 1 of the present invention describes *a system administrator that generates the first and second configuration data for the first and the second mobile devices.* Thus, the system administrator defines different first and second end user specific operational characteristics of the first and second mobile devices as opposed to the end user. Upon connecting to the network, Amin requires the end user to select various applications and services from a database to customize the mobile device. Therefore, Amin

fails to teach or suggest "maintaining on at least one server coupled to a network first and second configuration data *generated by a system administrator for the first and the second mobile devices ...*" as recited in independent claim 1, as amended. Applicants respectfully submit that the foregoing remarks regarding claim 1 apply equally to independent claim 9.

Croome describes a wireless device that can be automatically configured using an accessory card having a service image containing applications and services. Each wireless device can be configured differently using an assortment of accessory cards. An end-user selects the accessory card having the applications and services desired by the end-user. The end-user then inserts the accessory card into the wireless device. In response to the presence of the accessory card, the wireless device automatically downloads the service image containing the applications and services. (See Croome, Abstract).

Croome requires the end user select an accessory card containing the desired applications and services from an assortment of accessory cards. Thus, the end user of Croome determines the configuration of the wireless device. In contrast, the present invention describes *a system administrator that generates the first and second configuration data for the first and the second mobile device.* Therefore, Croome fails to teach or suggest "maintaining on at least one server coupled to a network first and second configuration data *generated by a system administrator for the first and the second mobile devices ...*" as recited in independent claims 1 and 9, as amended.

Since claims 3-8 and 30-32 depend from and include all the limitations of independent claim 1, they are also allowable. Additionally, since claims 11-13 and 33 depend from and include all the limitations of independent claim 9, they are also allowable. Further, Applicants submit that Claims 3-8, 11-13 and 30-33 define additional patentable subject matter in their own right. Therefore, it is respectfully requested that the rejection of claims 1, 3-5, 7-9, 11-12, and 30-33 under 35 U.S.C. 103(a) be reconsidered and withdrawn for at least these reasons.

In the Office action, Claims 6 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Amin in view of Croome and further in view of Rankin (US 2003/0207685). Applicants respectfully traverse in part and amend in part.

Applicants incorporate herein as if fully set forth remarks made above concerning independent claims 1 and 9 and submit that Rankin fails to teach an "maintaining on at least

one server coupled to a network first and second configuration data *generated by a system administrator for the first and the second mobile devices ...*" as recited by independent claims 1 and 9, as amended.

Rankin describes a system for sharing information among a plurality of users and a server. (See, Rankin, paragraphs [0001]-[0002]). There is no teaching or suggestion in Rankin of *a system administrator that generates the first and second configuration data for the first and the second mobile device* as described in the independent claims.

Applicants submit that neither Amin, Croome, nor Rankin, either alone or in combination, teach or suggest the claimed features of independent claims 1 and 9 as amended. Claims 6 and 13 depend from, and include all the limitations of independent claims 1 and 9, respectively. Therefore, dependent claims 6 and 13 are allowable as depending from allowable base claims. Thus, Applicants respectfully request reconsideration of dependent claims 6 and 13 and request the withdrawal of the rejection under 35 U.S.C. 103(a).

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 502117. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner

believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number provided below to discuss any outstanding issues relating to the allowability of the application.

Respectfully submitted,

By: /michael j. giannetta/   2011/10/13

Please send correspondence to: Michael Giannetta   Date
Motorola Solutions, Inc., Law Department   Attorney for Applicants
1303 East Algonquin Rd., IL01-11th Floor   Registration No. 42,574
Schaumburg, IL 60196   Tel. No. (631) 738-5091
Customer Number: 22917   Fax No. (847) 576-3750
                                        Email: USAdocketing@motorolasolutions.com